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6 UNITED STATES DISTRICT COURT
7 DISTRICT OF ARIZONA

8 United States of America,
9 Plaintiff,

10 v.

11 Heber Martin-Gomez,
12 Defendant.

MAGISTRATE NO. 08-6055

Order Re: Extending Time to Indict

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14 HAVING considered Defendant Heber Martin-Gomez's Motion to Extend Time
15 and good cause having been shown;

16 THE COURT makes the following findings:

- 17 1. Counsel for defendant has only recently been appointed;
- 18 2. The defendant earnestly wishes to consider the plea offer extended by the
19 government;
- 20 3. The defendant wishes to investigate possible defenses prior to considering
21 the government's plea offer;
- 22 4. The government's plea offer, if accepted by the defendant and then the
23 court, would likely reduce defendant's exposure to a significant term of
24 imprisonment;
- 25 5. If the defendant does not timely accept the plea offer prior to indictment,
26 the government will withdraw said plea offer and any subsequent plea offer
27 after indictment would likely be less advantageous to the defendant;
- 28 6. Failure to extend time for indictment in this instance would thus operate to
bar defendant from reviewing the government's plea offer in a meaningful
way prior to indictment; and
7. The ends of justice served by this continuance outweigh the best interest
of the public and the defendant in a speedy indictment.

IT IS FURTHER ORDERED that pursuant to the Speedy Trial Act, 18 U.S.C. § 3161, the Government shall have an extension of thirty (30) days to file a timely Indictment. Excludable time shall begin to run on the 31st day after arrest for a period of thirty (30) days in which the Government may present the case to the grand jury.

DATED this 7th day of April, 2008.

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